

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.618/98

Monday, this the 27th day of April, 1998.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

E.K.Shahudeen,
Language Teacher(Arabic),
Government Junior Basic School,
North Kiltan Island,
Union Territory of Lakshadweep. - Applicant

By Advocate Mr MV Thampan

Vs

1. The Director of Education,
Union Territory of Lakshadweep,
Kavaratti.
2. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
3. Union of India represented by
the Secretary,
Ministry of Human Resources Development,
Department of Education,
New Delhi. - Respondents

By Advocate Mr S Radhakrishnan, ACGSC

The application having been heard on 27.4.98, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant who is a Language Teacher(Arabic) working in the Government Junior Basic School, North Kiltan Island, Union Territory of Lakshadweep, submitted a representation on 8.4.98 A-4 praying that he may be granted the pay scale of Rs.1400-2300 with effect from the date of his appointment as in the case of the applicants in O.A.839/95 as he is also identically situated in all

respects. He has also claimed arrears of pay and allowances accordingly. This representation has not been disposed of. Therefore, the applicant has filed this application for a declaration that he is entitled to all the reliefs granted in A-2 judgement, and to revise the pay of the applicant to Rs.1400-2300 from the date of appointment and further to Rs.1400-2600 on completion of 3 years service and pay consequential arrears.

2. When the application came up for hearing, learned counsel for respondents fairly agreed that the application may be disposed of with a direction to the respondents to consider the representation in the light of the decision in O.A.839/95 and the respondents' order dated 28.3.98 A-3 and to take appropriate decision granting the benefit, if the applicant is in all respects similarly situated like the applicants in O.A.839/95.

3. In the light of the above submission made by the counsel of the respondents, the application is disposed of directing the respondents to consider the case of the applicant putforth in his representation A-4 in the light of the decision in O.A.839/95 and the decision of the respondents in similar case on 28.3.98 A-3 and to extend the same benefit as was granted to the applicants in O.A.839/95 if the applicant is found in all respects identically situated like the applicants in those cases excepting the date of joining the service. The above exercise shall be completed and if the applicant is found eligible, the arrears resulting from the revision of pay scale and refixation of pay shall also be made available to the applicant within three months from the date of receipt of a copy of this order. It is made clear that the arrears will be limited from a date three years prior to the filing of the O.A. as in O.A.839/95. No costs.

Dated, the 27th April, 1998.


(SK GHOSAL)
ADMINISTRATIVE MEMBER


(AV HARIDASAN)
VICE CHAIRMAN

List of Annexures

1. Annexure-A2: Judgement dt.21.3.1997 in O.A.No.839/95 of the Hon'ble Central Administrative Tribunal, Ernakulam Bench.
2. Annexure-A3: Order F.No.18/34/97-Edn. dated 28.3.1998 issued by the 2nd respondent.
3. Annexure-A4: The representation dated 8.4.1988 submitted by the applicant before the 2nd respondent.

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